

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2006-163-S - ORDER NO. 2006-466  
AUGUST 2, 2006

IN RE: Petition of Midlands Utility, Inc. for a Sanitary ) ORDER APPROVING  
Sewer Service Area Extension to Serve the ) WAIVER OF NOTICE  
Parkstone Subdivision. )

This matter comes before the Public Service Commission of South Carolina (the Commission) on the request of Midlands Utility, Inc. (Midlands or the Company) for waiver of notice of public hearing and notice requirements on Midlands' Petition for Commission approval of the extension of sanitary sewer service to Parkstone Subdivision (74 lots, 22,200 gallons per day) in Lexington County.

Midlands notes in its request for waiver that the property is adjacent to parcels currently served by Midlands and is included in the franchised sewer area granted to Midlands by Lexington County. Midlands states that sewer from the project will be connected to a nearby gravity main and transported through Midlands' existing collection system and transported to the City of Cayce for treatment and disposal.

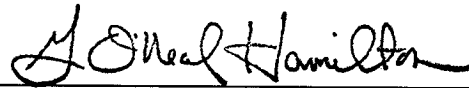
Midlands is requesting that this project be included in its current service area on file with the Commission. Midlands is requesting that the public hearing and notice requirement be waived since there are no other sewer providers in the area and there are

no present customers. Midlands adds that customers that build or buy in this new development will be charged the Commission-approved rates and charges.

26 S.C. Code Ann. Regs. 103-501(3) (1976) states that in any case where compliance with any of the rules and regulations introduces unusual difficulty, such rules or regulations may be waived by the Commission upon a finding by the Commission that such waiver is in the public interest. After an examination of the facts of this case, we hold that a waiver of the notice requirement for the extension of service by Midlands to Parkstone Subdivision in Lexington County is proper and should be granted. Providing notice for extension of service does introduce unusual difficulty, since there are no present customers in the area, and there are no other sewer providers. We believe waiver of the notice requirement is in the public interest in this instance. Accordingly, we waive the notice requirement contained in 26 S.C. Code Ann. Regs. 103-504 (Supp. 2005) as requested. However, we will not rule at this time on the request of Midlands for waiver of public hearing.

This Order shall remain in full force and effect until further Order of the Commission.

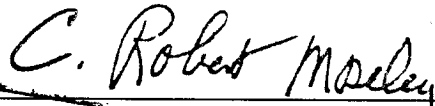
BY ORDER OF THE COMMISSION:



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G. O'Neal Hamilton, Chairman

ATTEST:



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C. Robert Moseley, Vice Chairman

(SEAL)